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It is incredible that a conception born of no particle of fact should be so tenacious of life.

Here is an illustration of the truth.

There are three prominent types of flycatching beak. The gigantic mouth and so to speak *no* beak of the Goatsucker, the common sized, stout beak of *Tyrannus*, and the slim, long, bent-needle beak of a Jacamar. By the common logic, each of these birds should be told that it *does not catch insects*, since it is a physical impossibility that if a beak of one particular shape does so, one of a *different* shape can also do so. The fact that different costumes represent different details of forest scenery is no more remarkable than that different species have a different anatomy.

In the animal world, each different mode of getting a living gathers into a community members of widely differing genera and forms, but, in each of these communities every differently shaped species will be found to use his body proportionately differently in attaining the same end, and for one of these to attain, in those same woods, *inconspicuousness by passing for a different forest detail* from that counterfeited by his neighbor, is in no way more remarkable than for him to bring to this community his different anatomy, and the main point is that all these counterfeits do succeed.

ABBOTT H. THAYER.

Monadnock, N. H., June 1, 1912.

NOTES AND NEWS.

In the present issue of 'The Auk' there is presented the sixteenth supplement to the A. O. U. Check-List of N. A. Birds, the first since the appearance of the new (third) edition of the Check-List. It is now nearly thirty years since the A. O. U. Committee on the Classification and Nomenclature of North American Birds was first appointed, and as a new generation of ornithologists has grown up in the meantime, a word as to the objects and province of this committee may not be out of place.

Everyone has an undisputed right to describe as many new species or races as he pleases and so fully has this privilege been exercised that new forms have been split off on finer and finer grades of differentiation as the years go by. Whether or not all these forms shall be included in the Check-List is one of the questions that the A. O. U. has left to its Committee. The Committee endeavors to obtain authentic material from the author of the new form and from elsewhere, and with the author's presentation of the case before it, decides by vote whether or not the alleged differences are sufficiently well marked to warrant recognition by name

The specialist working over a group of birds constantly for weeks at a time, unconsciously magnifies the differences which he finds between birds from areas, which he has reason to think, ought to yield separable geographic races. The Committee usually is able to recognize the differences that he points out, and the rejection of proposed races does not indicate that the author is wrong, but simply that in the opinion of the Committee the differences he has found are too slight and too inconstant to be of any practical utility. The Union believes that for practical purposes the judgment of seven men is better than that of one, and desires the opinion of a committee on all cases of proposed new forms, and the Check-List and its supplements constitute the Committee's opinions and nothing more.

In the same way questions of change of names are also passed upon, although in such cases the Committee is bound by the Code of Nomenclature in reaching its decisions.

In the latest supplement it will be noticed that only cases of proposed new species or subspecies are considered. Cases of nomenclature are left in abeyance for the present.

The object of this action is to maintain the stability of the names in this edition of the Check-List for as long a time as possible. When the List was issued every effort was made to sift all questions of nomenclature to the bottom, and while this was successful in the main, there are certain changes that will still have to be made. These are not numerous, and it seems that nothing is to be gained by hasty action in the matter, so for the present no changes will be made in the List on purely nomenclatural grounds.

This brings us to another matter that is exciting certain zoologists in various parts of the world at the present time, namely the advocacy of a list of *nomina conservanda* which shall be maintained regardless of the existence of earlier names for the same species or genera, because these names which have no status under the law of priority have in past years gained a more or less general acceptance. None of the advocates of this plan seem to have any definite idea of how it should be put in practice — at least we have seen none expressed, and they certainly have very different ideas as to just what they desire. '*Nomina conservanda*' seems to be a sort of convenient battle cry under which all who find some old and familiar name in danger of displacement, may rally. A certain number, at least, of those who are in favor of departing from the strict rule of priority, have apparently not looked into the matter sufficiently to discover that only a small portion of the changes in zoological names are really due to priority. As an illustration of the hasty assertions that are too often indulged in by such writers, we may quote from a letter of Mr. C. S. Brimley in the June number of 'Entomological News,' in answer to a call for an expression of opinion among American entomologists for or against the strict enforcement of the law of priority. He says "I am against the strict application of the rule of priority, because there seems to be no end to the changes arising under it. Take the birds of North America, some

700 species, if I remember rightly. The American Ornithologists' Union has had a committee working on them for over thirty years, and every supplement to the original Check-List has an increasingly large number of changes of names, owing to the application of this law."

Let us see how far Mr. Brimley's exposition of the A. O. U. Check-List as a horrible example is correct. In the first place the Committee as already explained, has only passed judgment on *proposed changes*, and has met for this purpose for a few days about every other year; so that the statement regarding the Committee's thirty years of action is rather misleading.

As to the changes in the Check-List. There were in the original edition. 948 named species and subspecies of which 550 remain unchanged in the last edition, while 374 have had either the generic, specific or subspecific name altered, or have undergone a change in rank from species to subspecies or *vice-versa*, and 24 have been dropped. In some cases one change affects several names, as for instance the substitution of *Hylocichla* for *Turdus* by which the names of ten thrushes are altered, but all these are counted in the above total.

Now of these 374 changes 54 are due to a wrong identification, or to the fact that the name formerly in use proved to be a 'nomen nudum.' As an illustration of the first class; Forster in 1772, described the Great Gray Owl as *Strix nebulosa*. Someone, unfamiliar with this bird, supposed that he referred to the Barred Owl, so *nebulosa* was consequently applied to the latter for over one hundred years, and has only recently been transferred to the species for which Forster intended it. Such changes seem inevitable and have nothing to do with the law of priority. Again, 181 changes are due to the subdivision of genera and species, or to mere changes of rank. *Picus* for the small woodpeckers had become *Dryobates*, not by the law of priority but by the subdivision of the genus *Picus*, the latter name being restricted to an Old World group.

As a matter of fact only 99 cases — 70 actual changes — are due to the law of priority, so that it becomes very evident that the chief cause of instability in nomenclature is not 'antiquarian research,' but the extremely modern manufacture of genera and species by splitting up old material — one of the necessary accompaniments of systematic study. Mr. Brimley is therefore mistaken in charging up all the changes in the Check-List to the law of priority, as he is misleading in his statement as to the province of the Committee and the time of its labors.

Those who advocate '*nomina conservanda*' will find that their panacea will not cure all the ills of nomenclature.

If they will only be content to let the International Commission proceed with its admirable work for uniformity in nomenclature and help to enforce the rules of the International Code in every case, we shall soon have stability so far as the law of priority is concerned. '*Nomina conservanda*' and any other devices for special legislation only delay the attainment of this end. The amusing thing about the whole matter is that while any

proposition to do away with some time honored name, such as *Picus*, on grounds of priority would meet with a storm of opposition, we may by continued generic subdivision abolish it from the designation of every woodpecker in the world save one, without protest!

PROF. ALFREDO DUGÈS, elected a Corresponding Member of the American Ornithologists' Union, died at his home in Mexico on January 7, 1910, in the eighty-fourth year of his age. From a biographical sketch by Manuel M. Villada in *La Naturaleza* we learn that he was born on April 10, 1826, in Montpellier, France, son of Dr. Antonio Luis Delsescantz Dugès. He received the degree of doctor of medicine at Paris in 1852 and soon after came to Mexico where the rest of his life was spent.

He was professor of Natural history in the State University of Guanajuato up to the time of his death and a constant contributor to *La Naturaleza*, while he published articles also in *La Naturaliste*, 'The Auk' and other journals. Seventy-two titles are listed in the bibliography accompanying Sen. Villada's sketch, most of which treat of reptiles in which he took especial interest. Several species have been named in his honor, those among birds being *Basileuterus rufifrons dugesi* Ridgw. and *Dendroica dugesi* Coale.

WE note in 'The Ibis' the announcement of the death of Mr. Eugene William Oates on November 16, 1911. Mr. Oates was born on December 31, 1845, and spent much of his life in Burmah in the Public Works Department of the Government of India. He was well known for his writings on Indian Birds including the 'Birds of British Burmah'; the bird volumes of Blanford's 'Fauna of British India'; 'Game Birds of India' etc. During his later residence in England he compiled a catalogue of the collection of birds' eggs in the British Museum and served as secretary of the British Ornithologists' Union 1898-1901, editing a subject index to 'The Ibis' 1859 to 1894.

SINCE our last notice¹ of the American Museum of Natural History's Colombian Expedition, its explorations have been continued with most valuable and interesting results.

From a recent publication of the American Museum of Natural History by Frank M. Chapman, containing a preliminary report on the 5000 birds thus far received from the expedition and describing some forty new Colombian birds, we learn that, in August, 1911, W. B. Richardson returned home and L. E. Miller was joined by Arthur A. Allen of Ithaca. Allen and Miller devoted September, October and part of November to work in the Quindio Region of the Central Andes, reaching the snow-line on Santa Isabel at an altitude of 15,600 feet, and securing many species new to Colombia as well as others new to science.

¹ 'The Auk', July, 1911, p. 391.

After a week on the Cauca River at Rio Frio, near Cartago, they crossed the Western Andes to N6vita on the San Juan river and returned to their base at Cali via Buenaventura early in January. Here both men were attacked by fever acquired in the unhealthy Choc6 region, and Mr. Chapman informs us that a start for the headwaters of the Magdalena was necessarily postponed until February. This region was finally reached in April after a trying journey over the Central Andes from Almaguer. Allen suffered so severely from the fever, contracted in the low coast country, that, in May, he was forced to return to the United States leaving Miller to continue the exploration of the zo6logically unknown upper Magdalena basin. Under date of May 6, 1912, Miller writes of the richness of this new field and reports that one of the chief desiderata of the expedition has been secured in his discovery of a nesting colony of the Cock-of-the-Rock. No less than seven nests of this species were found, some of which contained eggs, two being a full set while others held young in every stage from those newly hatched to others ready to fly. This material will enable the American Museum to construct an unusually attractive as well as unique group of a species concerning whose nesting habits we have hitherto known but little.

MR. MARTINUS NIJHOFF, The Hague, Holland, announces an English translation of Penard's 'Birds of Guyana' (Surinam, Cayenne and Demerara) to be issued in two volumes consisting of about 1160 pages and 700 illustrations. Large 8vo, cloth. The price for the first hundred subscribers will be two guineas net. As soon as this number is reached printing will be commenced and the price raised to £3. 3 net.

ARDEA, Journal of the Netherlands Ornithological Society, is the title of a new Ornithological Journal published at The Hague and dealing with the birds of the Netherlands and their colonies. The first number is dated April, 1912. It is published in Dutch.

THE Local Committee for the thirtieth stated meeting of the American Ornithologists' Union announces that the second week of November has been selected as the time of the meeting. The public sessions will therefore be held at Cambridge, Mass., on November 12, 13 and 14, 1912.